

# Measuring Lead in Schools— What's Required and What's Not

By Susan Brownstein

California's new requirement for lead sampling of drinking water in schools requires new roles and responsibilities for community water systems as well as a good-faith effort on the part of the drinking water community to implement an important first step in evaluating if and to what extent lead contamination is present in schoolchildren's drinking water.

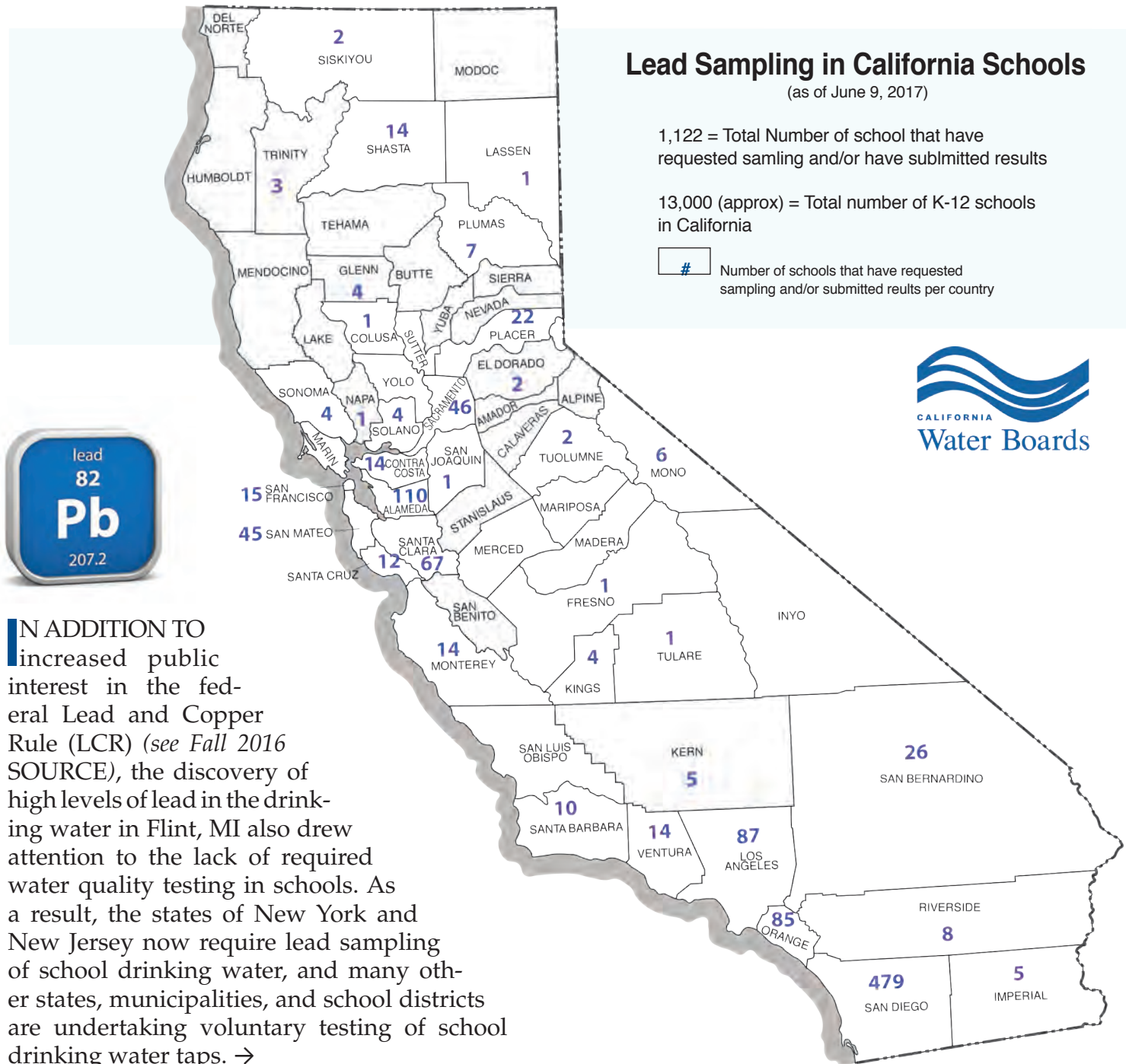
## Lead Sampling in California Schools

(as of June 9, 2017)

1,122 = Total Number of school that have requested sampling and/or have submitted results

13,000 (approx) = Total number of K-12 schools in California

# Number of schools that have requested sampling and/or submitted results per county



IN ADDITION TO increased public interest in the federal Lead and Copper Rule (LCR) (see Fall 2016 SOURCE), the discovery of high levels of lead in the drinking water in Flint, MI also drew attention to the lack of required water quality testing in schools. As a result, the states of New York and New Jersey now require lead sampling of school drinking water, and many other states, municipalities, and school districts are undertaking voluntary testing of school drinking water taps. →

## ***Water systems are required to report in their annual CCRs how many schools requested sampling in the previous calendar year, but are not required to publish the results.***

In January 2017, in response to a 2015 directive by California Gov. Jerry Brown, the State Water Resources Control Board Division of Drinking Water (DDW) issued permit amendments to community water systems with K-12 schools in their service area requiring these systems to provide free lead sampling and analysis at up to five tap locations to any public, private, or charter school that serves students in kindergarten through grade 12, providing that the school requests this testing. According to DDW Deputy Director Darin Polhemus, the program's goal is "to help ensure that we continue to protect our most vulnerable populations."

### **What's Required**

The sampling request must be made by the superintendent (or the equivalent) of the school district or the superintendent's authorized representative. Requests from charter schools and private schools must be made by a school official who is equivalent to a superintendent, such as a governing board or head of school. Principals, teachers, and parents are not authorized to request testing. Water systems are required to meet with school officials to develop a testing plan, perform the initial sampling and any required follow-up sampling, analyze the samples at a certified lab, and follow the data reporting procedures outlined in the permit amendment and guidance documents.

The permit amendment requires that the water system provide up to two rounds of follow-up testing at any of the original tap sampling locations that had an initial result over the lead action level of parts per billion, (ppb) plus one round of follow-up testing after the school takes corrective action such as replacing the fixture or installing a filter at any of the original tap sampling locations.

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requirements and extensive guidance are available at DDW's Lead Sampling of Drinking Water in California Schools website: [http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/leadsamplinginschools.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/leadsamplinginschools.shtml)

### **What's Not Required**

Water systems are not required to inform schools of the testing program, although some water systems have voluntarily done so. According to Provision 7 of the permit amendment:

*The water system shall communicate with the school after lead sampling and assist the school with the interpretation of laboratory results and provide information regarding potential corrective actions if a school has confirmed lead levels above 15 ppb. The water system is not responsible to pay for any maintenance or corrections needed at the school if elevated lead levels are found in the drinking water. The water system is not responsible for determining any corrective actions needed at the school.*

Most school officials are not familiar with interpreting water quality data, let alone communicating such data to their stakeholders and deciding how to respond to the findings. The provision to report testing results ensures that water systems, with their decades of experience implementing the Lead and Copper Rule, will have at least one follow-up conversation with school officials after sampling. However, the amendment does not require water systems to design or implement any corrective action measures if a lead action level exceedance is found. Additionally water systems are not required to pay for or provide any technical assistance other than that associated with sampling the school's drinking water and analyzing and reporting the results.

Because DDW's regulatory authority extends only to public water systems and their distribution systems and appurtenances, the permit amendment does not specify any requirements for the schools themselves. California schools

are not currently required to test their drinking water or to perform corrective action for any taps that are found to have lead action level exceedances. To help address this issue, it's anticipated that a new grant program from the State Water Resources Control Board will provide \$9.5 million in funding to improve drinking water quality in public schools, including schools that identify lead action level exceedances through this testing program. See [http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/schools/](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/schools/).

### **What's Next?**

The initial investigation required by the permit amendment will help policymakers and politicians make informed decisions as they consider additional lead testing requirements at the local, state, and national levels. Future potential actions include California State Assembly Bill (AB 885), which would require water systems to conduct yearly testing of drinking water outlets at all public schools and provide reimbursement of the sampling costs by the state; (AB 746) which would require local educational agencies and community and public university boards to conduct yearly or triennial testing at all public schools and charter schools, including preschool locations and shut down any taps that exceed the lead action level; and possibly the long-awaited long-term revisions to the federal Lead and Copper Rule, which may include requirements for school sampling.

As of June 9, 2017, 1,122 California schools have either requested sampling or submitted sampling results, out of approximately 13,000 schools that are eligible for testing. Sampling requests by county are shown in Figure 1 on page 35 and are updated regularly on the DDW website. The permit amendment lapses on November 1, 2019.

For assistance in following the sampling or reporting instructions, email the DDW staff specialist for this program at [DDW-PLU@waterboards.ca.gov](mailto:DDW-PLU@waterboards.ca.gov). ♦